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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,392

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Hatem Hannawa

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EXAMINER

SAFAVI, MICHAEL

ART UNIT

PAPER NUMBER

3673

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/22/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/735,392

Applicant(s)

HANNAWA ET AL.

Examiner

M. Safavi

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8-11 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) 6 and 28-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8-11 and 24-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Information Disclosure Statement***

With respect to Applicants' remarks concerning the IDS of December 27, 2004, it is not clear as to what is being implied by "[t]he issue date of the international search report is on the document itself." It is not apparent that any date printed upon the "international search report" is a date of publication of the "international search report".

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 3, 5, 8-11, and 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese reference 10-292624 (JP '624).**

JP '624 discloses, Figs. 3, 4, 9, and 12, a panel formed of fiber reinforced resin having a pattern in the form of recesses 4 with openings 8 therethrough and reinforcing matrix in the form of braces 3, 5, and 6, (**claims 1, 3, 5, 8, 24, and 25**). The recess of each pattern can be seen as extending more than approximately three-quarters of the total thickness of the form, (**claims 9, 10, 26, and 27**). At least one cavity "intersects

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one of the braces as can be seen in Figs. 4, 9, and 12, (e.g. lower 6 of Fig. 9 and lower 5 of Fig. 12 as well as lower 5 of Fig. 4 intersect with a cavity), (**claim 11**).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese reference 10-292624 (JP '624) in view of European reference 623,434 (EP '434).**

JP '624 does not appear to specifically disclose a form made of a plastic material that includes fiberglass strands. However, EP '434 teaches utilization of a form made of plastic material reinforced with fiberglass strands. Therefore, to have formed the form of JP '624 from a plastic material reinforced with fiberglass strands, (as part of the filler material as well as the fiber mesh layer), thus providing a sturdy form panel, would have been obvious to one having ordinary skill in the art at the time the invention was made as taught by EP '434.

**Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese reference '624 (JP '624) in view of Edison '261.**

As stated above JP '678 shows at least one cavity which intersects one of the braces as can be seen in Figs. 4, 9, and 12, (e.g. lower 6 of Fig. 9 and lower 5 of Fig. 12 as well as lower 5 of Fig. 4 intersect with a cavity). In any event, Edison discloses a form panel with a decorative pattern cavity intersecting one of the braces to provide support. Therefore, to have provided the JP '624 form panel with a cavity intersecting one of the braces, thus serving to provide support, would have been obvious to one having ordinary skill in the art at the time the invention was made as taught by Edison '261.

### ***Response to Arguments***

Applicant's arguments filed November 30, 2006 have been fully considered but they are not persuasive. The form panel of JP '624 is formed as a one-piece element. The JP '624 form is a resulting one-piece monolithic panel formed by layers encased in a cured composite resin matrix, (see paragraph 0029 of JP '624). "The pattern layer and the pattern reinforcing layer as well as the peripheral rib layer and grid rib layer are formed by laminating and reinforcing the entire pattern with composite resin and laminating material, such as fibercloth, fiber mesh, resin mesh, etc." Such, serves to constitute a one-piece member. A metal reinforcing frame member may be added to the resulting mold but, such goes beyond what is necessary for JP '624 to meet the language of the rejected claims. The panel to which any metal reinforcing frame may be added constitutes the form utilized to anticipate present claim 1. And, JP' 624 expresses use of other than plywood plates, corrugated boards, steel sheets or aluminum sheets

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for the peripheral rib layer and grid rib layer, (though, corrugated boards would serve to read on "non-metallic, non-wooden material"). JP '624 discloses use of resin plates and foam boards/plates to form the peripheral rib layer and grid rib layer.

As for Applicants' arguments to claim 4, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, one having ordinary skill in the art recognizing the desire of JP '678 to establish a sturdy form panel as by the JP '624 use of grains of glass among other fillers, fibercloth or other reinforcing material, would have found it obvious to provide the JP '624 form panel with fiberglass strands as a reinforcing filler or sheet as is aught by EP '434.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Safavi whose telephone number is (571) 272-7046. The examiner can normally be reached on Mon.-Thur., 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on (571) 272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**MICHAEL SAFAVI**  
**PRIMARY EXAMINER**  
**ART UNIT 3673**

M. Safavi  
February 12, 2007